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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

## MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

**(Legislative Department)**

*New Delhi, the 17th September*, 1984/*Bhadra* 26, 1906 (*Saka*)

# THE GENERAL INSURANCE BUSINESS (NATIONALISATION) AMENDMENT ORDINANCE, 1984

No. 10 OF 1984

Promulgated by the President in the Thirty-fifth Year of the Republic of India.

An Ordinance further to amend the General Insurance Business (Nationalisation) Act, 1972.

WHEREAS for securing the interests of the General Insurance Corporation of India and of the acquiring companies and of their policy holders and to control the cost of administration, it is necessary that further rationalisation or revision of pay scales and other terms and conditions of service applicable to the officers and other employees of the Corporation and of the acquiring companies should be undertaken expeditiously;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate following Ordinance:—

Short title and commencement.

**1.** (*1*) This Ordinance may be called the General Insurance Business (Nationalisation) Amendment Ordinance, 1984.

(*2*) It shall come into force at once.

Amendment of clause (*o*) of section 3

**2.** In section 3 of the General Insurance Business (Nationalisation) Act, 1972 (hereinafter referred to as the principal Act), in clause (*o*), after the words and figures "framed under section 16", the words, figures and letter "and also includes a scheme framed under section 17A" shall be inserted. 57 of 1972

Amendment of section 16.

**3.** In section 16 of the principal Act, after sub-section (*7*), the following sub-section shall be inserted, namely:—

"(*8*) The power to frame a scheme under sub-section (*1*), and the power conferred by sub-section (*6*) to add to, amend or vary any scheme framed under this section, shall include the power to frame such scheme with retrospective effect from a date not earlier than the appointed day.".

Insertion of new Chapter VA.

**4.** In the principal Act, after Chapter V, the following Chapter shall be inserted, namely:—

"CHAPTER VA

TERMS AND CONDITIONS OF SERVICE OF OFFICERS AND OTHER EMPLOYEES

Power of Central Government to regulate the terms and conditions of service of officers and other employees.

17A. (*1*) The Central Government may, by notification in the Official Gazette, frame one or more schemes for regulating the pay scales and other terms and conditions of service of officers and other employees of the Corporation or of any acquiring company.

(*2*) A scheme framed under sub-section (*1*) may add to, amend or vary any scheme framed under section 16 [including any addition, amendment or variation made therein by notification under sub-section (*6*) of section 16] with respect to rationalisation or revision of pay scales and other terms and conditions of service of officers and other employees of the Corporation or of any acquiring company, to provide for further rationalisation or revision of such pay scales and other terms and conditions of service notwithstanding that such further rationalisation or revision is unrelated to, or unconnected with, the amalgamation of insurance companies or merger consequent on nationalisation of general insurance business.

(*3*) The Central Government may, by notification, add to, amend or vary any scheme framed under this section.

(*4*) The power to frame a scheme under sub-section (*1*), and the power conferred by sub-section (*3*) to add to, amend or vary any scheme framed under this section, shall include the power to frame such scheme, or, as the case may be, to make such addition, amendment or variation in any scheme framed under this section, with retrospective effect from a date not earlier than the appointed day.

(*5*) A copy of every scheme, and every amendment thereto, framed under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

(*6*) The provisions of this section and of any scheme framed under it shall have effect notwithstanding anything to the contrary contained in any other law or any agreement, award or other instrument for the time being in force.".

Validation

**5.** (*1*) Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority or in any other law, agreement, award or other instrument for the time being in force, every scheme framed or purporting to have been framed with retrospective effect under sub-section (*1*) of section 16 of the principal Act and every notification made or purporting to have been made with retrospective effect under sub-section (*6*) of that section before the commencement of the General Insurance Business (Nationalisation) Amendment Ordinance, 1984 shall be, and shall be deemed always to have been, for all purposes, as valid and effective as if the amendment made in the said section 16 by section 3 of this Ordinance had been part of that section and had been in force at all material times.

(2) Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority or in any other law, agreement, award or other instrument for the time being in force,—

(*a*) every scheme framed, or purporting to have been framed, by the Central Government under sub-section (*1*) of section 16 of the principal Act; and

(*b*) every notification made, or purporting to have been made, by the Central Government under sub-section (*6*) of the said section 16,

before the commencement of the General Insurance Business (Nationalisation) Amendment Ordinance, 1984, in so far as such scheme or notification provides (whether with or without retrospective effect) for any rationalisation or revision of pay scales or other terms and conditions of service of officers and other employees of the Corporation or of any acquiring company, otherwise than in relation to, or in connection with, amalgamation of insurance companies or merger consequent on nationalisation of general insurance business shall be, and shall be deemed always to have been, for all purposes, as valid and effective as if section 17A, as inserted in the principal Act by section 4, of this Ordinance had been part of the principal Act, and had been in force at all material times and such schemes or notification in so far as it provides as aforesaid had been framed or made under the said section 17A:

Provided that nothing in this section shall apply to, or in relation to, the notification dated the 30th day of September, 1980, framing the General Insurance (Nationalisation and Revision of Pay Scales and Other Conditions of Service of Supervisory, Clerical and Subordinate Staff) Second Amendment Scheme, 1980

*Explanation.*—In this section, the expressions "acquiring company" and "Corporation" shall have the meanings respectively assigned to them in the principal Act

ZAIL SINGH,
*President*

R. V. S. PERI SASTRI,
*Secy. to the Govt. of India*

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